04-14-09



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Bleier, Zvi

Serial No.:

Not Yet Assigned

Filed:

April 13, 2004

Title:

Roof Mirror Assembly

Examiner:

Not Yet Assigned

Group Art Unit:

2872

Attorney Docket:

148/08x2 DIV

PETITION TO MAKE SPECIAL BASED UPON ACTUAL INFRINGEMENT

Commissioner for Patents FIX

SIR:

Pursuant to Patent Rule 102, 37 C.F.R. §1.102, and M.P.E.P. §708.02(II), applicant herein petitions for an accelerated examination of the above-captioned application. The application is a divisional of U.S. Application Serial No. 09/894,207, filed June 28, 2001, pending.

This Petition is being filed contemporaneously with the application. Accordingly, at the time of submission of this Petition, applicant was unaware of the Serial Number assigned to the application. Clearly, no substantive examination of the application has yet occurred.

Applicant's undersigned attorney, registered with the U.S. Patent and Trademark Office under Registration No. 34,826, herein makes the following statement:

1. That there is at least one infringing device or product actually on the market;

2. That a rigid comparison of the alleged infringing device or product with the claims of the application has been made;

 That in my opinion, at least one claim of the application is unquestionably infringed; and

4. That I have a good knowledge of the pertinent prior art, which art is already of record in the parent case.

Also accompanying this Petition is applicant's Information Disclosure Statement (without copies of US patent references pursuant to August 5, 2003 Notice in the OG), and a check payable to the Commissioner of Patents and Trademarks in the amount of \$515, covering the Petition fee under 37 C.F.R. 1.17(h) in the amount of \$130 and the application filing fees of \$385 for a small entity. The Commissioner is authorized to charge any deficiencies, or credit any overpayment, to Deposit Account No. 11-0223.

Respectfully submitted,

KAPLAN & GILMAN, L.L.P. Attorneys for Applicant 900 Route 9 North Woodbridge, New Jersey 07095 Telephone: (732) 634-7634

Dated: April 13, 2004

By:

Michael R. Gilman Reg. No. 34,826